

Michael J. Willemin

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September 11, 2024

VIA ECF

The Honorable Robyn F. Tarnofsky
United States District Court, Southern District of New York
500 Pearl Street, Courtroom 9B
New York, NY 10007

Re: Parker v. Bursor, Civil Case No. 24 Civ. 245 (JGLC)(RFT)

Dear Judge Tarnofsky:

We represent Plaintiff and write in response to Defendants' September 6, 2024 letter (Dkt. No. 147). In short, there is no basis to compel Plaintiff to identify how many messages she has had with each of the individuals at issue. Defendants requested that Plaintiff produce any harassing or threatening messages. Plaintiff agreed to do that. As part of that agreement, we asked for time to determine how many messages we would have to review. After determining that number, we advised the Court that we could complete our review of the messages by September 17, 2024, and produce any messages responsive to Defendants' purported concerns.

It was never contemplated that Plaintiff would provide the number of messages between herself and each individual at issue, nor have Defendants explained how that number is relevant. Instead, they seem to simply be curious as to how many communications Plaintiff has had with her friends. This is not discoverable. Defendants also claim that knowing the number of communications between Plaintiff and each individual might make a review of the documents more efficient should we, for some unarticulated reason, not comply with the September 17, 2024 deadline. However, there is no basis to suggest that we will not comply with the deadline. Finally, it is not as easy as Defendants contend to produce the information that they seek because the number of messages is reported by conversation and not by individual. Certain individuals are in more than one conversation, and it would require us to manually aggregate the number of messages in the conversations within which each individual participated.

The long and short of it is that Defendants made a request, and we agreed to it. We then worked out a plan for how to comply with the request, and we are complying with the plan. Defendants' letter is litigation over nothing.

As such, we respectfully request that the Court deny Defendants' request.



Hon. Robyn F. Tarnofsky
September 11, 2024
Page 2

We thank the Court for its time and attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. J. Willemin". The signature is fluid and cursive, with a horizontal line extending from the end.

Michael J. Willemin